

ATTORNEY DOCKET NO.:
INVIT1280-1

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **DELIVERY OF FUNCTIONAL PROTEIN SEQUENCES BY TRANSLOCATING POLYPEPTIDES**, the specification of which

 X is attached hereto.

 X was filed on September 28, 2001, (Attorney Docket No.: **INVIT1280-1**)

as U.S. Application Serial No. _____ and was amended on _____ if applicable (the "Application").

I hereby authorize and request insertion of the application serial number of the Application when officially known.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.

ATTORNEY DOCKET NO.:
INVT1280-1

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/127,467</u>	<u>March 31, 1999</u>
(Application Serial No.)	(Filing Date)
<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)
<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of the Application:

<u>PCT/US00/08571</u>	<u>March 31, 2000</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

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ATTORNEY DOCKET NO.:
INVIT1280-1

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Brian Dalby**

Inventor's signature: Brian Dalby

Date: 11/19/01

Residence: Carlsbad, California CA.

Citizenship: U.S.A.

Post Office Address: 2803 Unicornio Street
Carlsbad, CA 92009

Full name of second inventor: **Robert P. Bennett**

Inventor's signature: Robert P. Bennett

Date: 11/19/2001

Residence: Encinitas, California CA.

Citizenship: U.S.A.

Post Office Address: 1269 Rainbow Ridge Lane
Encinitas, California 92024

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dalby et al. Art Unit: Unassigned
Application No.: Unassigned Examiner: Unassigned
Filed: September 28, 2001
Title: Delivery of Functional Protein Sequences by Translocating Polypeptides

Commissioner for Patents
Washington, D.C. 20231

POWER OF ATTORNEY BY ASSIGNEE

As a below-named assignee of the above-identified application ("Application"):

I hereby appoint the following attorneys of the assignee to prosecute the
Application and to transact all business in the United States Patent and Trademark Office
connected therewith:

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In re Application of:
Dalby, et al.
Application No.: Unassigned
Filed: September 28, 2001
Page 2

PATENT
Attorney Docket No.: INVIT1280-1

Customer No 28213

I hereby authorize and request insertion of the application number of the
Application when officially known.

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Title:

Chief Intellectual Property Counsel

Date:

12/4/2001